

FILED

JAN 30 2023

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

1 :Angelica-Flores: Delos Reyes  
 2 921 Gellert Boulevard  
 3 San Mateo County, Daly City, California State  
 4 650-922-2542

5 Defendant & Cross-Complainant, self-standing.  
 6

7 I do not waive any rights, remedies, or defenses,  
 8 which are statutory or procedural.

9 United States District Court, for the Northern District of California

10 Portfolio Recovery Associates, LLC  
 11 Plaintiff,

12 v.

13 :Angelica-Flores: Delos Reyes (being sued as  
 14 ANGELICA F DELOS REYES)  
 15 Defendant.

16 \_\_\_\_\_  
 17 :Angelica-Flores: Delos Reyes,  
 18 Cross-Complainant,

19 v.

20 1. Portfolio Recovery Associates, LLC,  
 21 2. Christopher D Lagow,  
 22 3. PRA Group, Inc.,  
 23 4. Kevin P. Stevenson  
 24 5. Steve D. Fredrickson  
 25 6. Portfolio Recovery Associates, LLC,  
 26 7. PRA Receivables Management, LLC,  
 27 8. PRA Location Services,  
 28 9. Claims Compensation Bureau  
 10. Michael S. Hunt,  
 11. Janalie Henriques,  
 12. Keri L. Salet,  
 13. Donald Sherrill,  
 14. Anthony DiPiero,  
 15. Daniel Oditt,  
 16. Alexander Balzer Carr,  
 17. Brian Langedyk,  
 18. Keri L. Salet,  
 19. Kurtiss Jacobs,  
 20. Louis Samson,  
 21. Nicholas Mortl,

1 ) United States District Court Case Number:

2 ) CV 23-0425 AGT

3 ) State Case Number: 20-CIV-01244

4 ) Notice of Removal of the Above-Entitled  
 5 ) Case to the United States District Court for the  
 6 ) Northern District of California

7 ) Claim for Trial By Jury  
 8 ) (also stated as Demand for Trial by Jury)

1 22. Zoey Richter,  
2 23. Hunt & Henriques, LLP,  
3 24. Peter M. Graham,  
4 25. Peggy Turner  
5 26. Vikram A. Atal  
6 27. Danielle M. Brown  
7 28. Marjorie M. Connnelly  
8 29. John H. Fain  
9 30. James A. Nussle  
31. Brett L. Paschke  
32. Scott M. Tabakin  
33. Lance L. Weaver  
34. Latisha O. Tarrant  
35. and Does 1–100.  
Cross-Defendants.

### Notice of Removal.

For the Honorable Court, the State Case Plaintiff & Cross-Defendant, assignees, successors, all interested parties, and their attorneys:

Come Now, state case Defendants & Cross-Complainant :Angelica-Flores: Delos Reyes, hereinafter Delos Reyes, hereby respectfully move to remove this case to the United States District Court for the Northern District of California. Removal is requested pursuant to the jurisdiction placed on the Federal Courts by 28 USC § 1446 and its following sections.

The removed case are the civil actions filed in the California State Superior Court, for the San Mateo County, Civil Division, as stated above.

As required by 28 USC § 1446(a), and local Rules, copies of all process pleadings, Orders and other papers or exhibits filed in the State Court with attached Exhibits, have been served on the Plaintiff timely.

Venue of this removal is proper under 28 USC Sections § 1441(a) in the Northern District of California, because the State Court for San Mateo County cannot have jurisdiction pursuant to matters with the following issues:

Section 1331, a Federal Question; or Section 1332, diversity; or Section 1333, admiralty, maritime and prize cases; or Any of the other areas over which federal courts have original jurisdiction determining what constitutes a federal question, and further these issues:

1. Violation of the Americans with Disabilities Act of 1990,

- 1       2. Violation of the Fair Debt Collection Practices Act,
- 2       3. Violation of the Fair Credit Reporting Act,
- 3       4. Violation of the American Bar Association Rules by Participating with the Forbidden-Ex-Parte-  
4              Communication with a Judicial Officer,
- 5       5. Violation of the Internal Revenue Codes § 1691 and other codes.
- 6       6. Violation of the Foreign Agents Registration Act by the Defendants' attorneys,
- 7       7. Violation of the Federal Sherman and Clayton Acts,
- 8       8. Unjust Enrichment,
- 9       9. Violation of the Implied Duty of Good Faith and Fair Dealing: Metcalf, 742 F.3d at 993 and other  
case laws and codes,
- 10      10. Title 42: USC Section 1986: Knowledge & Stop-Correct-Wrongs,
- 11      11. FRCP Section 9B: Fraud by a Confession,
- 12      12. FRCP Section 26E: Closure,
- 13      13. Title 18: USC Section 4001 & Section 4002: Fictional Communications,
- 14      14. Title 15: USC Section 1692E: Fraud and Misleading Statements,
- 15      15. Title 15: USC Section 78ff: Penalty: \$25 Million,
- 16      16. Title 42: USC Section 1985-1: Conspiracy-Civil,
- 17      17. Title 42: USC Section 1985-2: Obstruction-Evidence & Witness,
- 18      18. Title 42: USC Section 1985-3: Depriving-Evidence & Witness,
- 19      19. Title 18: USC Section 1961: R.I.C.O.,
- 20      20. Title 18: USC Section 242: Coloring of the Laws, Ailing,
- 21      21. Title 18: USC Section 241: Criminal-Conspiracy, Tort
- 22      22. Title 18: USC Section 3: Criminal-Participation-Knowledge
- 23      23. Title 42: USC Section 1983: Personal Damages,
- 24      24. Title 18: USC Section 1512: Obstruction of the Law,
- 25      25. Violation of the Title 8 U.S.C. Sections 1182, 1227, 1229 for Moral Turpitude,
- 26      26. Identity Theft,
- 27      27. Failure to Prove Agency by the Opposing Attorneys,
- 28      28. Violation of the Federal and California Consumer Financial Protection Laws and the Debt  
Collection Licensing Act,

29. Violation of the American Bar Association Model Rule § 1.7, Conflict of Interest,
30. Violation of the California Bar Association Model Rule § 1.7, Conflict of Interest,
31. Failure to register as a foreign corporation, thereby the Plaintiff's management company has no standing to sue.
32. Failure to file a correct document with the California Secretary of State, thereby the Plaintiff has no standing to sue.
33. And Other Causes of Action Yet to be Named.

The Court has historically interpreted the arising under language in Article III very expansively. In *Osborn v. Bank of the United States*, §22 U.S. [9 Wheat] 78 [18241], Chief Justice John Marshall held that a case satisfies Article III's arising under requirement whenever federal law forms an ingredient of the original cause. In applying this rule, the Court held that Congress may constitutionally create Federal Court jurisdiction whenever a federal law is a **potential ingredient** of a case.

Applying this interpretation to the case at hand, Delos Reyes urges this Court to recognize that Plaintiffs & Cross-Defendants are in violation of 12 USC § 3708, Implementing Regulation § 1.1-1, 24 C.F.R. § 220.814.

The Federal Court Has Broad Discretion with Ordering a Consolidation

A court has broad discretion in determining whether consolidation is practical. Atlantic States Legal Foundation Inc. v. Koch Refining Co., 681 F. Supp 609, 615 — D. Minn. 1988. In exercising this discretion, a court should weigh the time and effort consolidation would save with any inconvenience or delay it would cause. Hendrix v. Raybestos-Manhattan, Inc., 776 F.2d 1492, 1495 — 11th Cir. 1985); Huene v. United States, 743 F.2d 703, 704 — 9th Cir. 1984. See also, Kramer v. Boeing Co., 134 F.R.D. 256 — D. Minn. 1991. Consolidation offers efficiency and convenience in this case. Consolidation will result in one trial, which will bind all plaintiffs and defendants. This will save time and avoid unnecessary costs to the defendants, the plaintiffs in two actions, witnesses who would otherwise be required to testify in both cases, and this Court.

Under the after mentioned circumstances, the Federal Court jurisdiction is well founded.

Respectfully,

1  
2 January 30, 2023. By: :Angelica-Flores: Delos Reyes.

3 :Angelica-Flores: Delos Reyes

4 Statement on the Oath by :Angelica-Flores: Delos Reyes.

5 1. I am over the age of 18 years, and I am a party for this case.  
6 2. I have personal knowledge of the facts stated with this Removal and Statement on the Oath.  
7 3. If I am called as a witness, I could and would testify competently to the truth of the facts as stated  
8 herein.  
9 4. I make this Removal and Statement on the Oath under penalty of perjury that the statements  
10 herein are true and correct.  
11 5. I executed this Statement on the Oath on January 30, 2023, at San Mateo County, Daly City,  
12 California State.

13 By: :Angelica-Flores: Delos Reyes.

14 :Angelica-Flores: Delos Reyes

15 Proof of Service

16 I am domiciled at California and over the age of eighteen years, and I am not a party to the  
17 within action. My business location for the purposes of this service is Post Office Box 823, San  
18 Mateo County, Millbrae, California State. I served the following document on January 30, 2023:  
19 Notice of Removal of the Above-Entitled Case to the United States District Court for the Northern  
20 District of California

21 (X) By placing the documents listed above in a sealed envelope with postage thereon fully prepaid,  
22 by the U.S. Postal Service Mail, at San Francisco County, San Francisco, California addressed as  
set forth below.

23  
24 Michael S. Hunt, Janalie Henriques, Keri L. Salet, Donald Sherrill,  
25 Anthony DiPiero, Daniel Oditt, Alexander Balzer Carr, Brian Langedyk,  
26 Keri L. Salet, Kurtiss Jacobs, Louis Samson, Nicholas Mortl, and Zoey Richter  
HUNT & HENRIQUES, LLP

27 151 Bernal Road, Suite 8, Santa Clara County, San José, California State 95119-1306

I state under penalty of perjury that the herein statements are true and correct.

January 30, 2023.

By:

*Edward-Leopold Novak.*

:Edward-Leopold: Novak.